

Topsfield Planning Board

April 15, 2008

Chairman Morrison called the meeting to order at 7:30 PM. Board members present were Martha Morrison, Janice Ablon, Gregor Smith, Ian deBuy Wenniger, Robert Winship. Roberta Knight, Community Development Coordinator was also present.

Visitors: Attorney Gary Evans, Robert Baker, Amy Carney, Richard Doherty, Peter Jensen, Heidi Fox, Selectman Dick Gandt, and David Varga.

Minutes:

Member Gregor Smith made the motion to approve the minutes of February 13, 2008 as written; seconded Member Robert Winship; so voted 3-0-0. Clerk Jan Ablon abstained.

Member Gregor Smith made the motion to approve the minutes of February 19, 2008 as amended; seconded by Member Ian deBuy Wenniger; so voted 4-0-0. Clerk Jan Ablon abstained.

37 Gail Street /Antoria Way Subdivision: At this time, Attorney Gary Evans representing Rosemary Gangi joined the Board to discuss the surety for the project and the schedule of values so that the construction phase of the project may commence. Attorney Evans also provided the Board with an executed drainage easement that upon review the Board forwarded to the Board of Selectmen for acceptance by the Town. He informed the Board that the applicant Rosemary Gangi was requesting that the performance bond be a guaranteed deposit based on the schedule of values. Attorney Evans also requested a reduction in the schedule based on utility work already in place and provided the Board with a construction schedule for the infrastructure of the subdivision. The time frame is approximately six (6) weeks.

At this time, Mr. Baker raised issues concerning the removal of trees along the property line with 39 Gail Street and the above ground utility line and poles also running along the property line. He noted that in his opinion that according to the Town's regulations the electrical line should be underground. After a lengthy discussion and review of the definitive plans, the Board informed Mr. Baker that only the new utilities are required to be placed underground and the overhead lines were pre-existing conditions on the site. It was the consensus of the Board that a buffer of trees be placed along the lot line. Attorney Evans agreed and noted that it was the intention to replace the trees that had been cut down near the proposed detention pond.

The Board made the following motions in regards to the project as follows:

Surety and Schedule of Values: Member Gregor Smith made the motion to revise the amount of the Schedule of Values to \$212,000, and provide surety in said amount; seconded by Clerk Janice Ablon; so voted, 5-0.

BSC Consulting Engineering Proposal: Member Ian deBuy Wenniger made the motion to accept the Proposal as specified in the amount of \$9,000; seconded by Member Bob Winship; so voted 5-0.

Outside Consultant Escrow Agreement for Legal: Member Ian deBuy Wenniger made the motion to accept the Agreement for legal services in the amount of \$600; seconded by Clerk Janice Ablon; so voted 5-0.

Outside Consultant Escrow Agreement for Engineering: Member Ian deBuy Wenniger made the motion to accept the Agreement for engineering services in the amount of \$9,000; seconded by Clerk Janice Ablon; so voted 5-0.

Modification to Conditions:

Clause C2: Member Ian deBuy Wenniger made the motion to modify the conditions to include the following language that “the trees removed along the property line with 39 Gail Street shall be replaced to provide a buffer screen”; seconded by Member Bob Winship; so voted 5-0.

Clause C14: Member Ian deBuy Wenniger made the motion to modify the conditions to include the word “new” at the beginning of the paragraph; seconded by Clerk Janice Ablon; so voted 5-0.

49 Rowley Road: At this time, Mr. Richard Doherty of Hancock Engineering and developer Peter Jensen joined the Board to discuss the project at 49 Rowley Road owned by Rolando and Claudia Rabines. The owners plan to build a new home at the top of the hill and demolish the existing house. The Conservation Commission that has issued an Order of Conditions has approved the project and the Board of Health has approved the septic system.

Due to its size and scope, the project falls within the jurisdiction of the Planning Board under the Stormwater and Erosion Control Bylaw. The owners intend to submit an application for stormwater management and erosion control. Chairman Morrison requested that the applicant submit all Conservation information including the Order of Conditions and back-up calculations, soil conditions and the approved septic system plan. Mr. Doherty noted that the applicant would be requesting waivers on the pre and post analysis related to 100-year evaluation of run-off based on the types of soil. He then reviewed the preliminary stormwater drainage plans with the Board. The Board noted that it would require a consulting agreement for engineering peer review services, and that Mr. Varga from BSC is the Board’s consultant for such reviews. Mr. Varga who was present for the previous appointment joined in the review process. He noted that the calculations would need to be done since the lower portion of the property is within FEMA’s base flood zone.

The Board placed the project on its agenda for the special work session scheduled for April 24th. Ms. Morrison noted that a public hearing would be required.

Bill Schedule: Member Ian deBuy Wenniger made the motion to approve the bill schedule in the amount of \$901.44 for legal notices; seconded by Clerk Janice Ablon; so voted; 5-0.

Minutes Continued:

Member Gregor Smith made the motion to approve the minutes of February 25, 2008 as amended; seconded by Member Ian deBuy Wenniger; so voted 4-0-0. Clerk Jan Ablon abstained.

Member Ian deBuy Wenniger made the motion to approve the minutes of March 4, 2008 as written; seconded by Member Gregor Smith; so voted 4-0-0. Clerk Jan Ablon abstained.

Clerk Janice Ablon made the motion to approve the minutes of March 18, 2008 as written; seconded by Member Ian deBuy Wenniger; so voted 5-0.

Name Change for 12 Boston Street Development: The Planning Board discussed the change of name from “South Meadows at Topsfield” to “English commons at Topsfield” for the senior housing development / elderly housing district by the developer C.P. Berry due to its similarity with “New Meadows..”, the other proposed project. Member Ian deBuy Wenniger made the motion to approve the name change to “English Commons at Topsfield”; seconded by Member Bob Winship; so voted 4-0-0. Chairman Morrison abstained.

The meeting was adjourned at 10:21 PM.

Respectfully submitted,

Roberta M. Knight
Community Development Coordinator